

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JORGE N. ARRELLANO-LOPEZ,
Plaintiff,
v.
J. GONZALES, et al.,
Defendants.

Case No. 1:23-cv-0093 JLT EPG (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DISMISSING
CERTAIN CLAIMS AND DEFENDANTS,
AND DIRECTING THE CLERK OF COURT
TO UPDATE THE DOCKET**

(Doc. 19)

Jorge N. Arrellano-Lopez asserts that he suffered violations of his civil rights while incarcerated at Pleasant Valley State Prison. (*See* Doc. 15.) The magistrate judge screened Plaintiff's second amended complaint pursuant to 28 U.S.C. § 1915A(a), and found Plaintiff stated cognizable claims for failure to protect in violation of the Eighth Amendment against Officer J. Gonzales and retaliation in violation of the First Amendment against Officer J. Hardin. (*See* Doc. 19 at 6-9.) The magistrate judge found Plaintiff did not state cognizable claims against the other defendants. (*Id.* at 7-13.) Therefore, the magistrate judge recommended the action proceed only on the cognizable claims, and that the Court dismiss all other claims and defendants. (*Id.* at 13-14.)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within thirty days. (Doc. 19 at 14.) The Court advised Plaintiff that the "failure to file objections within the specified time may result in the waiver rights on appeal."

(*Id.*, quoting *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do so has passed.

According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case. Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

1. The Findings and Recommendations issued on August 6, 2024 (Doc. 19) are **ADOPTED** in full.
2. This case **SHALL** proceed only on Plaintiff's claims for: (1) failure to protect in violation of the Eighth Amendment against Officer J. Gonzales and (2) retaliation in violation of the First Amendment against Officer J. Hardin.
3. All other claims and defendants are **DISMISSED**.
4. This action is referred to the magistrate judge for further proceedings.

IT IS SO ORDERED.

Dated: **September 23, 2024**


UNITED STATES DISTRICT JUDGE